

The Gazette of India



PUBLISHED BY AUTHORITY

No. 27] NEW DELHI, SATURDAY, JULY 7, 1956

NOTICE

The undermentioned Gazettes of India Extraordinary were published upto the 30th June 1956 :—

Issue No.	No. and date	Issued by	Subject
87-A	S.R.O. 1413-A, dated the 22nd June 1956.	Ministry of Information and Broadcasting.	Appointment of date on which the Press and Registration of Books (Amendment) Act, 1955, shall come into force.
188	S.R.O. 1454, dated the 25th June 1956.	Ministry of Food and Agriculture.	Schedule of Tariff Values for 1956-57.
189	S.R.O. 1455, dated the 26th June 1956.	Ministry of Irrigation and Power.	The Indian Electricity Rules, 1956.
190	S.R.O. 1456, dated the 26th June 1956.	Ministry of Finance	Appointment of date on which the Life Insurance Corporation Act, 1956, shall come into force.
191	S.R.O. 1457, dated the 26th June 1956.	Ministry of Commerce and Industry.	The Cement Control Order, 1956.
192	S.R.O. 1519, dated the 22nd June 1956.	Ministry of Information and Broadcasting.	The Registration of Newspapers (Central) Rules, 1956.
193	S.R.O. 1520, dated the 26th June 1956.	Government of Ajmer	List of allegation against the Kekri Municipal Committee. Reply of the Chairman, Municipal Committee and Comments of the Chief Commissioner, Ajmer.
194	S.R.O. 1521, dated the 29th June 1956.	Ministry of Information and Broadcasting.	The Central Government certifies a film to be of the description specified therein.

Issue No.	No. and date	Issued by	Subject
195	S.R.O. 1522, dated the 30th June 1956.	Ministry of Finance (Revenue Division).	Agreement between the Government of India and the Government of the United Kingdom for the avoidance of double taxation and the prevention of fiscal evasion with respect to duties on the estates of deceased persons.

Copies of the *Gazettes Extraordinary* mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these *Gazettes*.

PART II—Section 3

Statutory Rules and Orders issued by the Ministries of the Government of India (other than the Ministry of Defence) and Central Authorities (other than the Chief Commissioners).

MINISTRY OF HOME AFFAIRS

New Delhi-2, the 26th June 1956

S.R.O. 1526.—In exercise of the powers conferred by section 2 of the Part C States (Laws) Act, 1950 (XXX of 1950), the Central Government hereby extends to the State of Tripura the Bombay Agricultural Produce Markets Act, 1939 (Bombay Act No. XXII of 1939), as at present in force in the State of Bombay, subject to the following modifications, namely:—

Modifications

1. Save as otherwise expressly mentioned below, throughout the Act,
 - (a) for the words "State Government", wherever they occur, the words "Chief Commissioner of Tripura" shall be substituted;
 - (b) for the word "Bombay", wherever it occurs (except in the long title, preamble and short title), the word "Tripura" shall be substituted;
 - (c) for the words "Official Gazette", wherever they occur, the words "State Gazette" shall be substituted;
 - (d) for the words and figures "Bombay Weights and Measures Act, 1932" whereas they occur, the words "Law relating to Weights and Measure for the time being in force in Tripura" shall be substituted.
2. In sub-section (1) of section 3, for the words "its intention", the words "this intention" shall be substituted.
3. In sub-section (3) of section 4, for the words "it deems fit", the words "he deems fit" shall be substituted.
4. The proviso to section 4.A(2) shall be omitted.
5. In sub-section (1) of section 6—
 - (1) in the proviso to clause (ii), for the words "one seat", the words "two seats" shall be substituted;
 - (2) in the proviso to clause (iv), for the words "as it thinks fit", the words "as he thinks fit" shall be substituted.
6. In sub-section (1) of section 12, the words and figures "section 19 of" and "section 25 of" shall be omitted.
7. In sub-section (3) of section 13, for the words "as it thinks fit", the words "as he thinks fit" shall be substituted.

8. In sub-section (2) of section 16, for the words "vests in the State Government", the words "vests in the Government" shall be substituted.

9. In sub-section (1) of section 18, for the words "if it thinks fit", the words "if he thinks fit" shall be substituted.

10. In section 19—

(1) in clause (ii) of sub-section (2), for the words "at their discretion" and "as it may think fit", the words "at his discretion" and "as he may think fit" shall respectively be substituted;

(2) in sub-sections (3) and (4), for the words "it shall transfer", the words "he shall transfer" shall be substituted.

11. In sub-section (1) of section 23, the words "a Presidency Magistrate or" shall be omitted.

12. In section 25, for the words "on it", the words "on him" shall be substituted.

13. In section 26—

(1) in sub-section (2), in clause (i), the words and figures "section 19 of" shall be omitted and in clause (j), for the words "by it" the words "by him" shall be substituted;

(2) sub-section (5) shall be omitted.

14. In section 28, for the words "satisfying itself", the words "satisfying himself" and for the words "as it thinks fit" the words "as he thinks fit" shall be substituted.

15. Section 29A shall be omitted.

16. In section 30, the words and figures "in the Markets and Fairs Act, 1862, or" shall be omitted.

17. Section 31 shall be omitted.

18. In the Schedule—

(a) under the item "I Fibres", after entry (2), the entry "(3) Jute" shall be added;

(b) under the item "IV Oilseeds", after entry (10), the entry "(11) Mustard Seeds" shall be added;

(c) under the item "VII Fruits", after entry (16), the following entries shall be added, namely:—

"(17) Pineapples

(18) Liches".

ANNEXURE

THE BOMBAY AGRICULTURAL PRODUCTS MARKETS ACT, 1939

(BOMBAY ACT NO. XXII OF 1939)

[2nd November, 1939]

[Amended by Bom. 57 of 1948;
Adapted and modified by the
Adaptation of Laws Order, 1950;
Amended by Bom. 26 of 1951;
Amended by Bom. 36 of 1953;
Amended by Bom. 21 of 1954;
Amended by Bom. 23 of 1954.]

An Act to provide for the better regulation of buying and selling of agricultural produce and the establishment of markets for agricultural produce in the province of Bombay.

WHEREAS it is expedient to provide for the better regulation of buying and selling of agricultural produce in the Province of Bombay and establishment of

markets for agricultural produce; it is hereby enacted as follows:—

CHAPTER I—PRELIMINARY

1. Short title and extent.—(1) This Act may be called the Bombay Agricultural Produce Markets Act, 1939.

(2) It extends to the whole of the State of Tripura.

2. Definitions.—(1) In this Act, unless there is anything repugnant in the subject or context—

- (i) "Agricultural produce" includes all produce of agriculture, horticulture and animal husbandry specified in the Schedule;
- (ii) "Agriculturist" means a person who ordinarily by himself or who by his tenants or hired labour or otherwise is engaged in the production or growth of agricultural produce, but does not include a dealer or broker in agricultural produce although such dealer or broker may also be engaged in the production or growth of agricultural produce;
- (iii) "Bye-laws" means bye-laws made under Section 27;
- (iv) "Director" means the Director of Agricultural Marketing and Rural Finance for the State of Tripura;
- (v) "Market" means a market established for the purpose of this Act;
- (vi) "Market Area" means any area declared to be a market area under Section 4;
- (vii) "Market committee" means a committee established under Section 5;
- (viii) * * * *
- (viii) "Municipality" includes a notified area committee;
- (ix) "Prescribed" means prescribed by rules made under Section 26;
- (ixaa) "Principal Market yard" means an enclosure, building or locality declared to be a principal market yard under Section 4A;
- (ixa) "Retail sale" means a sale of any agricultural produce not exceeding such quantity as a market committee may by bye-laws made under Section 27 determine to be a retail sale in respect of such agricultural produce;
- (x) "Rules" means rules made under Section 26;
- (xi) "Schedule" means Schedule to this Act;
- (xii) "Sub-market yard" means an enclosure, building or locality declared to be a sub-market yard under Section 4A.

(2) If a question arises whether any person is or is not an agriculturist for the purpose of this Act the decision of the Chief Commissioner of Tripura shall be final.

CHAPTER II—CONSTITUTION OF MARKETS AND MARKET COMMITTEES

3. Notification of intention of exercising control over purchase and sale of agricultural produce in specified area.—(1) The Chief Commissioner of Tripura may by notification in the State Gazette declare his intention of regulating the purchase and sale of such agricultural produce and in such area, as may be specified in the notification. Such notification may also be published in the regional language of the area and in such other manner as the Chief Commissioner of Tripura may deem fit:

Provided that no area within the limits of municipality shall be included in the area specified in such notification except after consultation with the municipality concerned.

(2) A notification under sub-section (1) shall state that any objection or suggestion which may be received by the Chief Commissioner of Tripura within a period of not less than one month to be specified in the notification shall be considered by the Chief Commissioner of Tripura.

4. Declaration of market areas.—(1) After the expiry of the period specified in the notification, issued under Section 3 and, after considering such objections and suggestions as may be received before such expiry and after holding such inquiry

as may be necessary, the Chief Commissioner of Tripura may, by notification in the State Gazette, declare the area specified in the notification under Section 3 or any portion thereof to be a market area for the purpose of the Act in respect of all or any of the kinds of the agricultural produce specified in the said notification. A notification under this Section may also be published in the regional languages of the area in a newspaper circulated in the said area and may also be published in such other manner as the Chief Commissioner of Tripura may deem fit.

(2) On and after the date on which any area is declared to be a market area under sub-section (1), no place in the said area shall, subject to the provisions of Section 5A, be used for the purchase or sale of any agricultural produce specified in the notification issued thereunder:

Provided that pending the establishment of a market in such area under Section 5, the Chief Commissioner of Tripura may grant a licence to any person to use any place in the said area for the purchase or sale of any such agricultural produce.

(2A) Nothing in sub-section (2) shall apply to the purchase or sale of such agricultural produce, if the producer of such produce is himself its seller and the purchaser is a person who purchases such produce for his own private use or if such agricultural produce is sold to such person by way of a retail sale.

(2B) On and after the date on which any area is declared to be a market area under sub-section (1), no municipality or any other local authority, notwithstanding anything contained in any enactment relating to such municipality or authority shall be competent to establish, authorise or allow to be established any place in the said area for the purchase or sale of any agricultural produce specified in the notification issued under sub-section (1).

(3) The Chief Commissioner of Tripura may, on the report of the Director or the Collector or of the market committee or an officer appointed by the Chief Commissioner of Tripura in this behalf and after such inquiry as it deems fit to make, suspend or cancel any licence granted under sub-section (2).

(4) Subject to the provisions of section 3, the Chief Commissioner of Tripura may at any time by notification in the State Gazette exclude from a market area any area or any agricultural produce comprised therein or include in any market area any area or any agricultural produce included in a notification issued under Section 3.

4A. Declaration of market yards.—(1) For each market area there shall be one principal market yard and one or more sub-market yards, as may be necessary.

(2) The Chief Commissioner of Tripura may, by notification in the State Gazette, declare any enclosure, building or locality in any market area to be a principal market yard for the area and other enclosures, buildings or localities to be one or more sub-market yards for the area.

5. Establishment of market Committees.—The Chief Commissioner of Tripura shall establish a market committee for every market area in respect of the agricultural produce for which said area is declared to be market area under Section 4. It shall be the duty of the market committee to enforce the provisions of this Act, the conditions of a licence granted under sub-section (2) of section 4 and the rules and bye-laws made under this Act in such market area and when so required by the Chief Commissioner of Tripura to establish a market therein providing for such facilities as the Chief Commissioner of Tripura from time to time direct in connection with the purchase and sale of the agricultural produce concerned.

5A. Issue of licences to operate in market.—Where a market is established under Section 5, the market committees may issue licences in accordance with the rules to traders, commission agents, brokers, weighmen, measurers, surveyors, warehousemen and other persons to operate in the market:

Provided that no such licence shall be necessary in the case of a person to whom a licence has been granted under sub-section (2) of section 4.

6. Constitution of market Committees.—(1) Every market committee shall be constituted as prescribed and shall consist of the following fifteen members, namely:—

- (i) seven shall be persons elected by such organizations of agriculturists in the area for which it is established as the Chief Commissioner of Tripura may prescribe and where no such organizations exist, by the agriculturists residing in the said area in the manner prescribed;

- (ii) four shall be persons elected by the traders approved by the market committee in the prescribed manner:

Provided that two seats out of the members to be elected under this clause shall be reserved for such class of co-operative societies as the Chief Commissioner of Tripura may prescribe:

- (iii) elected by local authorities as follows:—

- (a) if in a market area the principal market yard is wholly situated within the limits of local authority, one person shall be elected by the councillors or members of such local authority;
- (b) if in a market area the principal market yard and other sub-market yard or yards are situated within the limits of different local authorities, one person shall be elected by the councillors or members of the local authority within the limits of which the major portion of the principal market yard is situated and one person shall be elected in the prescribed manner by the other local authorities within the limits of which the remaining portion of the principal market yard and sub-market yards either wholly or partially are situated:

Provided that a person to whom a licence has been granted under sub-section (2) of section 4 shall not be eligible for election under this clause;

- (iv) nominated as follows:—

- (a) where in the circumstances mentioned in clause (iii) the number of persons to be elected by a local authority is one, three persons shall be nominated by the Chief Commissioner of Tripura.
- (b) where in the circumstances mentioned in clause (iii) the number of persons to be so elected is two, two persons shall be nominated by the Chief Commissioner of Tripura:

Provided that the Chief Commissioner of Tripura may, at any time, reduce the number of nominated members for any market committee and in their place increase the number of members to be elected under clause (i) or (ii) as he thinks fit.

- (2) Notwithstanding anything contained in sub-section (1)—

- (a) on the failure of any organisation, person or authority to elect a member under sub-section (1) within a period of three months from the date of the occurrence of the vacancy, the Chief Commissioner of Tripura shall give notice in writing to the organisation, person or authority concerned to elect a member within a month from the date of such notice and on the failure of the organisation, person or authority again to elect a member within the said period, the Chief Commissioner of Tripura shall nominate a person on behalf of such organisation, person or authority as a member of the market committee; and
- (b) subject to the provisions of section 31, when a market committee is constituted for the first time all the members of the market committee shall be persons nominated by the Chief Commissioner of Tripura.

(3) Every member of a market committee elected or nominated when it is first constituted shall hold office for a term of two years from the date of the first general meeting of the market committee and every such members elected or nominated thereafter shall hold office for a term of three years.

(3A) The term of office of the outgoing members of a market committee shall be deemed to extend to and expire with the day before the date of the first general meeting of the market committee constituted in its place.

(3B) A member elected under sub-section (1) shall cease to hold office as such member if he ceases to be a member of the electorate by which or one of the persons by whom he was elected and in the case of a member elected under clause (iii) of the said sub-section if he is granted, a licence under sub-section (2) of section (4).

(4) If at any time a vacancy occurs through the non-acceptance of office by a person elected or nominated or through the death, disqualification or resignation of a member or in the event of his ceasing to be a member, before the expiry of his term of office, the vacancy shall be filled up by the election or nomination, as the case may be, of a person thereto in the manner specified above. Every such person shall hold office so long only as the member in whose place he is elected nominated would have held it if the vacancy had not occurred.

(5) Every market committee shall elect one of its members to be its chairman, and another member to be its vice-chairman.

(6) No act done by a market committee shall be questioned on the ground, merely of the existence of any vacancy in, or any defect in the constitution, the committee.

CHAPTER III—INCORPORATION OF MARKET COMMITTEE: ITS POWERS AND DUTIES

7. Incorporation of market Committee.—Every market committee shall be a body corporate by such name as the Chief Commissioner of Tripura may specify by notification in the State Gazette. It shall have perpetual succession and a common seal, may use and be used in its corporate name and shall be competent to acquire and hold, lease, sell or otherwise transfer any property and to contract and to do all other things necessary for the purposes for which it is established.

8. Appointment of sub-committee and joint-Committees: delegation of powers.—The market committee may appoint one or more its members to be a sub-committee or to be a joint Committee for the conduct of any work or to report on any matter or matters and may delegate to such committee or any one or more of its members such of its powers or duties as it may think fit.

9. Appointment and salaries of servants of the market Committee.—(1) The market committee may employ such officers and servants as may be necessary for the management of the market and may pay such officers and servants such salaries as the market committee thinks fit. The market committee shall, in the case of any officer or servant of Government whom it employs, pay such pension, contribution, gratuity or leave allowance as may be required by the conditions of his service under the Government for the time being in force.

(2) The market committee may also, in the case of any of its officers and servants, provide for the payment to them of such leave allowances, pensions or gratuities as it deem proper, and may contribute to any provident fund which may be established for the benefit of such officers and servants.

(3) The powers conferred by this section on the market committee shall be exercised subject to any rules which may be made in this behalf by the Chief Commissioner of Tripura.

10. Execution of Contracts.—(1) Every contract entered into by the market committee shall be in writing and shall be signed on behalf of the market committee by its chairman, and two other members of the committee.

(2) No contract other than a contract executed as provided in sub-section (1) shall be binding on the market committee.

11. Power to levy fees.—The market committee may subject to the provisions of rules and subject to such maxima as may be prescribed levy fees on the agricultural produce bought and sold by licensees in the market area.

12. Certain differences regarding construction of rules, etc., about weights and measures to be decided by market committee.—(1) Notwithstanding anything contained in the law relating to weights and measures, for the time being in force in Tripura, if any difference arises between an Inspector appointed under the said act and any person interested as to the meaning or construction of any rule or regulation or as to the method of verifying adjusting or stamping any weight or measure or weighting or measuring instrument in any market area such difference may at the request of the person interested or by the Inspector of his own accord be referred to the market committee and the decision of the market committee shall, subject to the provisions of sub-section (2), be final and shall be deemed to have been given under the law relating to weights and measures for the time being in force in Tripura.

(2) An appeal shall lie within the time prescribed from the decision under sub-section (1) to the Chief Commissioner of Tripura or such officer as the Chief Commissioner of Tripura may appoint in this behalf. The decision of the Chief Commissioner of Tripura or such officer shall be final.

13. Market committee fund.—(1) All monies received by a market committee shall be paid into a fund to be called "the market committee fund" and all expenditure incurred by the market committee under or for the purposes of this Act shall be defrayed out of the said fund. Any surplus remaining with the market committee after such expenditure has been met shall be invested as may be prescribed in this behalf.

(2) Every market committee shall pay to the Chief Commissioner of Tripura the cost of any additional or special staff employed by the Chief Commissioner of Tripura in consultation with such market committee for giving effect to the provisions of this Act in the market area for which such market committee is established.

(3) The Chief Commissioner of Tripura shall determine the cost of such additional or special staff and shall, when the staff is employed for the purposes of more than one market committee apportion such cost among the committees concerned in such manner as he thinks fit. The decision of the Chief Commissioner of Tripura determining the amount payable by any market committee shall be final.

14. Purposes for which the fund shall be expended.—Subject to the provisions of section 13, the market committee fund shall be expended for the following purposes, namely:—

- (1) the acquisition of a site or sites for the market;
- (2) the maintenance and improvement of the market;
- (3) the construction and repair of buildings necessary for the purposes of such market and for the health convenience and safety of the person using it;
- (4) the provision and maintenance of standard weights and measures;
- (5) the pay, pensions, leave allowances, gratuities, compensations for injuries resulting from accidents compassionate allowance and contribution towards leave allowances, pensions or provident fund of the officers and servants employed by it;
- (6) the expenses of the incidental to elections;
- (7) the payment of interest on the loans that may be raised for the purposes of the market and the provision of sinking fund in respect of such loans;
- (8) the collection and dissemination of information regarding matters relating to cropstatistics and marketing in respect of the agricultural produce notified under section 4;
- (9) payments of the cost referred to in sub-sections (2) and (3) of section 13; and
- (10) propaganda in favour of agricultural improvement.

15. Power to borrow.—(1) A market committee may, with the previous sanction of the Chief Commissioner of Tripura, raise money required for carrying out the purposes for which it is established on the security of any property vested in it and of any fees leviable by it under this Act.

(2) The market committee may, for the purpose of meeting the initial expenditure on lands, buildings and equipment required for establishing the market, obtain a loan from the Chief Commissioner of Tripura.

(3) The conditions subject to which such money or loan shall be raised or obtained and the time within which the same shall be repayable shall be subject to the previous action of the Chief Commissioner of Tripura.

16. Acquisition of land for purpose of this Act.—(1) If, at any time after a notification is issued under sub-section (1) of section 4, the Chief Commissioner of Tripura is of opinion that any land is need for the purposes of this Act, the Chief Commissioner of Tripura may proceed to acquire it under the provisions of the Land Acquisition Act, 1894 (I of 1894) or any other law for the time being in force.

(2) When such land vests in the Government it shall be transferred by the Chief Commissioner of Tripura to the market committee, on payment by the market committee of the compensation awarded under the Land Acquisition Act, 1894, or any other law for the time being in force and of all other charges incurred by the Chief Commissioner of Tripura on account of the acquisition, within such period and in such manner as the Chief Commissioner of Tripura may, by general or special order, determine and on such transfer the land shall vest in the market committee.

CHAPTER IV—TRADE ALLOWANCES

17. No trade allowance permissible except as prescribed.—No person shall make or recover any trade allowance, other than an allowance prescribed by rules or bye-laws made under this Act, in any market area in any transaction in respect of the agricultural produce concerned and no civil court shall, in any suit or proceeding arising out of any such transaction, have regard to or recognise any trade allowance not so prescribed.

Explanation.—Every deduction other than a deduction on account of deviation from sample when the purchase is made by sample or on account of deviation from standard when the purchase is made by reference to a known standard or on account of difference between the actual weight of the container and the standard weight or on account of the admixture of foreign matter, shall be regarded as a trade allowance for the purposes of this section.

CHAPTER V—MISCELLANEOUS

18. Liability of members of market committee to removal from office.—(1) The Chief Commissioner of Tripura may, if he thinks fit, on the recommendation of the market committee supported by at least two-thirds of the whole number of members, remove any member of the market committee elected or nominated under this Act, if such member has, in the opinion of the Chief Commissioner of Tripura, been guilty of neglect or misconduct in the discharge of his duties or of any disgraceful conduct or has become incapable of performing his duties as a member:

Provided that no resolution recommending the removal of any member shall be passed by the market committee unless the member to whom it relates has been given a reasonable opportunity of showing cause why such recommendation should not be made.

(2) The decision of the Chief Commissioner of Tripura under sub-section (1) shall be final.

18A. Member to be held responsible for mis-applied funds.—Every member of the market committee shall be personally liable for the misapplication of any fund to which he shall have been a party, or which shall have happened through, or been facilitated by, gross neglect of his duty as a member, and may be sued for recovery of the moneys so misapplied as if such moneys had been the property of the Chief Commissioner of Tripura:

Provided that no member shall be personally liable in respect of any contract or agreement made, or for any expense incurred by, or on behalf of, the market committee; the funds at the disposal of the market committee shall be liable for, and be charged with, all costs in respect of any such contract and agreement and all such expenses.

18B. Duty of officers and members to furnish information to Director and other authorities officers.—When the affairs of a market committee are investigated for the proceedings of such committee are examined by the Director or any other officer to whom the powers of the Chief Commissioner of Tripura have been delegated under section 28, all officers and members of such committee shall furnish such information in their possession in regard to the affairs or proceedings of the committee as the Director or such officer may require.

18C. Power to enforce attendance.—An officer investigating the affairs of a market committee or examining the proceedings of such committee under section 18B shall have the power to summon and enforce the attendance of officers or members of the market committee and to compel them to give evidence and to produce documents by the same means and as far as possible in the same manner as is provided in the case of a Civil Court by the Code of Civil Procedure, 1908.

19. Supersession of market committee.—(1) If in the opinion of the Chief Commissioner of Tripura a market committee is not competent to perform or persistently makes default in performing the duties imposed on it by or under this Act or abuses its powers the Chief Commissioner of Tripura may, by notification in the State Gazette, supersede such market committee:

Provided that before issuing a notification under this sub-section, the Chief Commissioner of Tripura shall give a reasonable opportunity to the market committee for showing cause why it should not be superseded and shall consider the explanations and objections, if any, of the market committee.

(2) Upon the publication of a notification under sub-section (1) superseding a market committee the following consequences shall ensue—

- (i) all the members as well as the chairman of the market committee shall as from the dates of such publication be deemed to have vacated their offices;
- (ii) the Chief Commissioner of Tripura may, at his discretion, by order, either constitute a new market committee under section 6 or make such arrangements for the carrying out of the functions of the market committee, as he may think fit; and
- (iii) all the assets vesting in the market committee shall, subject to all its liabilities vest in the Chief Commissioner of Tripura.

(3) If the Chief Commissioner of Tripura makes an order under clause (ii) of sub-section (2) he shall transfer the assets and liabilities of the market committee as on the date of such transfer, to the new market committee constituted under section 6 or to the person or person, if any, appointed for carrying out the functions of the market committee, as the case may be.

(4) If the Chief Commissioner of Tripura does not make such an order, he shall transfer all the assets of the market committee which remain after the satisfaction of all its liabilities, to the local authority within whose jurisdiction the market committee is situated if there are more than one such authorities to each of such authorities any such portion of the assets as the Chief Commissioner of Tripura may determine.

(5) A local authority to which the assets of market committee have been transferred under sub-section (4) shall utilise such assets for such object in the area within its jurisdiction as the Chief Commissioner of Tripura considers to be for the benefit of the agriculturists in that area.

20. Penalty for contravention of section 4.—Whoever contravenes the provisions of section 4 shall, on conviction, be punishable with fine which may extend to five hundred rupees, and in the case of continuing contravention with a further fine which may extend to one hundred rupees for every day during which the contravention is continued after first conviction.

21. Penalty for making or recovering trade allowance other than an allowance prescribed by rules or bye-laws made under this Act.—Whoever, in contravention of the provisions of section 17 makes or recovers any trade allowance other than an allowance prescribed by rules or bye-laws made under this Act shall, on conviction, be punishable with fine which may extend to Rs. 200.

21A. Penalty for contravening provisions of section 18B.—If any officer or member of a market committee, when required to furnish information in regard to the affairs or proceedings of a market committee under section 18B—

- (a) wilfully neglects or refuses to furnish any information, or
- (b) wilfully furnishes a false information,

he shall on conviction, be punished with fine which may extend to Rs. 50.

22. Bar of suit in absence of notice.—(1) No suit shall be instituted against any market committee or any member, officer or servant thereof or any person acting under the direction of any such market committee member, officer or servant for anything done or purporting to be done, in good faith as such member, officer or servant under this Act, until the expiration of two months next after notice in writing, stating the cause of action, the name and place of abode of the intending plaintiff and the relief which he claims, has been, in the case of a market committee, delivered or left at its office, and in the case of any such member, officer, servant or person as aforesaid, delivered to him or left at his office or usual place of abode, and the plaint shall contain a statement that such notice has been so delivered or left.

(2) Every such suit shall be dismissed unless it is instituted within six months from the date of the actual of the alleged cause of action.

(3) Nothing in this section shall be deemed to apply to any suit instituted under section 54 of the Specific Relief Act, 1877.

23. Trial of offences.—(1) No offence under this Act, or any rule or bye-law thereunder shall be tried by a Court other than that of a Magistrate of the First Class or a Magistrate of the Second Class specially empowered in this behalf.

(2) Prosecutions under this Act may be instituted by any person duly authorised in writing by the market committee in this behalf.

24. **Recovery of sums due to Government from market committee.**—Every sum due from market committee to the Chief Commissioner of Tripura shall be recoverable as an arrear of land revenue.

25. **Power to the Chief Commissioner of Tripura to delegate his powers.**—The Chief Commissioner of Tripura may delegate to any officer any of the powers conferred on time by or under this Act.

26. **Rules.**—(1) the Chief Commissioner of Tripura may, either generally or specially for any market area or market area, make rules for the purposes of carrying out the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing provision, such rules may provide for or regulate:—

- (a) the election and nomination of members of the market committee, the manner of election, the preparation and revision of lists of voters from time to time and the payment of all expenditure in connection with or incidental to such election;
- (b) the powers to be exercised and the duties to be performed by the market committee and its chairman;
- (c) the election of the chairman and the Vice-chairman of the market committee and their term of office;
- (d) the filling of casual vacancies in the office of chairman, vice-chairman or member of the market committee;
- (e) the management of the market, maximum fees which may be levied by the market committee in respect of agricultural produce bought and sold by persons holding a licence under the Act in the market area;
- (f) the issue of licences to traders, commission agents, brokers, weighmen, measurers, surveyors, warehousemen and other persons operating in the market the form in which and the conditions subject to which such licences shall be issued or renewed * * *
- * and the fees to be charged therefore;
- (g) the kind and description of the weights and measures and the weighing and measuring instruments which alone shall be used in transactions in the agricultural produce in a market area;
- (h) the periodical inspection of all weights and measures and weighing and measuring instruments in use in a market area;
- (i) the manner of control and supervision to be exercised by the market committee over inspectors appointed under the law relating to weights and measures for the time being in force in Tripura;
- (j) the time within which an appeal shall lie to the Chief Commissioner of Tripura or the officer appointed by him in that behalf under subsection (2) of section 12;
- (k) the trade allowance which may be made or received by any person in any transaction in the agricultural produce in a market area;
- (l) the provision of facilities for the settlement of any dispute between a buyer and seller of agricultural produce or their agents including disputes regarding the quality or weight of the article, the allowances for wrappings, containers, dirt or impurities or deductions from any cause;
- (m) the prohibition of brokers for acting in any transaction on behalf of the both the buyer and seller of agricultural produce or as a buyer or seller;
- (n) the provision of accommodation for storing any agricultural produce brought into the market;
- (o) the preparation of plans and estimates for works proposed to be constructed partly or wholly at the expense of the market committee and the grant of sanction to such plans and estimates;
- (p) the form in which the accounts of a market committee shall be kept, the audit inspection and publication of such account the charges, if any, to be made for such audit and the inspection of audit memoranda of the accounts and supply of copies of such memoranda;
- (q) the preparation and submission for sanction of the annual budget and the report and returns to be furnished by a market committee;

- (r) the investment and disposal of the surplus funds of a market committee;
 - (s) the regulation of advances, if any, given to agriculturists by brokers, commission agents or traders;
 - (t) the prevention of adulteration of the agricultural produce;
 - (u) the grading and standardisation of the agricultural produce;
 - (v) the keeping of a list of prices of agricultural produce in respect of which the market is established;
 - (w) the manner in which auctions of agricultural produce shall be conducted and bids made and accepted in any market;
 - (x) the recovery and disposal of fees leviable by or under the act.
- (3) Any rule made under this Act may provide that any contravention thereof or of any of the conditions of any license issued or renewed thereunder shall, on conviction, be punishable with fine which may extend to Rs. 200/-
- (4) The power to make rules conferred by this Section is subject to the condition of the rules being made after previous publication.

27. Bye-laws.—(1) Subject to any rules made by the Chief Commissioner of Tripura under section 26 and with the previous sanction of the Director or any other officer specially empowered in this behalf by the Chief Commissioner of Tripura the market committee may in respect of the market area under its management make bye-laws for the regulation of the business and the conditions of trading therein.

(2) Any bye-law made under this section may provide that any contravention thereof shall, on conviction, be punishable with fine which may extend to Rs. 100/-

28. Power of Chief Commissioner of Tripura to call for proceeding of market committee and to pass orders thereon.—The Chief Commissioner of Tripura may at any time call for the examine the proceedings of any market committee for the purpose of satisfying himself as to the legality or propriety of any decision or order passed by the market committees under the rules. If in any case, it appears to the Chief Commissioner of Tripura that any decision or order or proceedings so called for should be modified, annulled or reversed, the Chief Commissioner of Tripura may pass such order thereon as he thinks fit.

29. Power of Chief Commissioner of Tripura to amend the Schedule.—The Chief Commissioner of Tripura may, by notification in the State Gazette add to, amend or cancel any of the items of agricultural produce specified in the Schedule.

30. Savings.—Nothing contained in any law for the time being in force relating to the establishment, maintenance or regulation of a market shall apply to any market area or affect in any way the powers of a market committee or the rights of a holder of a license granted under sub-section (2) of section 4 to set up, establish or continue or to allow to be set up, established or continued, any place for the purchase or sale of any agricultural produce notified under sub-section (1) of section 4 in such area or the rights of a holder of a license granted under section 5A.

SCHEDULE

[See section 2(1)(1)]

I. Fibres :

- | | |
|----------------------------------|-----------|
| (1) Cotton (gained and unginned) | (2) Shemp |
| (3) Jute | |

II Cereals :

- | | |
|---------------------------------|-------------|
| (1) Wheat | (8) Maize |
| (2) Paddy (husked and unhusked) | (9) Sarsav |
| (3) Jowar | (10) Bavto |
| (4) Bajri | (11) Barley |
| (5) Nagli | (12) Banti |
| (6) Vari | (13) Chino. |
| (7) Kodra | |

III Pulses

- | | |
|-----------|-----------------------------|
| (1) Tur | (7) Lang |
| (2) Gram | (8) Math |
| (3) Udid | (9) Pcas |
| (4) Mung | (10) Kulthi |
| (5) Val | (11) Splita (Dal) of pulses |
| (6) Chola | (12) Masur. |

IV. Oilseeds :

- | | |
|---------------------------------------|---------------------|
| (1) Groundnut (Shelled and unshelled) | (7) Cotton seed |
| (2) Linseed | (8) Castor seed |
| (3) Seamum | (9) Khursani |
| (4) Safflower | (10) Niger-seed |
| (5) Ambadi | (11) Mustard seeds. |
| (6) Coconut | |

V. Narcotics.

- (1) Tobacco

VI. Gur, sugar and sugarcane.

VII. Fruits :

- | | |
|-----------------|------------------|
| (1) Mango | (10) Strawberry |
| (2) Mosambi | (11) Melons |
| (3) Santra | (12) Water Melon |
| (4) Lemon | (13) Papaya |
| (5) Banana | (14) Guava |
| (6) Grapes | (15) Bor |
| (7) Pomegranate | (16) Falsa |
| (8) Fig | (17) Pineapples |
| (9) Chickoo | (18) Liches. |

VIII. Vegetables :

- | | |
|------------|--------------------------------|
| (1) Potato | (5) Leafy and fresh vegetables |
| (2) Onion | (6) Yam |
| (3) Tomato | (7) Sweet Potatoes |
| (4) Suran | (8) Kochara. |

IX. Animal Husbandry Products :

- | | |
|-------------|------------|
| (1) Eggs | (5) Wool |
| (2) Poultry | (7) Butter |
| (3) Gattle | (8) Ghee |
| (4) Sheep | (9) Milk. |
| (5) Goat | |

X. Condiments, spices and others :

- | | |
|-------------------------|-------------------|
| (1) Turmeric | (8) Betelnuts |
| (2) Ginger | (9) Betel leaves |
| (3) Garlic | (10) Cashewnuts |
| (4) Coriander | (11) Cumin (Jiru) |
| (5) Chillies | (12) Methi |
| (6) Cardamom and Pepper | (13) Isabgul |
| (7) Variali | |

XI. Grass and fodder.

XII. Cattle feeds :

- | | |
|-----------|-------------|
| (1) Guwar | (2) Punvad. |
|-----------|-------------|

[F. 12(1)-J.II/56.]

S. NARAYANSWAMY, Dy. Secy.

New Delhi-2, the 30th June 1956

S.R.O. 1527.—The following draft of certain rules for regulating the port facilities for any vessel entering ports in the Andaman and Nicobar Islands, which the Central Government proposes to make in exercise of the powers conferred by sub-section (1) of section 6 of the Indian Ports Act, 1908 (15 of 1908), is published, as required by sub-section (2) of the said section, for the information of all persons likely to be affected thereby; and notice is hereby given that the draft will be taken into consideration on or after the 30th July 1956.

Any objection or suggestion which may be received from any person in respect of the said draft before the date so specified will be considered by the Central Government.

DRAFT RULES

The following rules shall apply to all sea-going vessels entering the ports of Port Blair, Camorta, Car Nicobar, Elphinstone and Mayabunder (formerly known as Bonington) or any other port in the Andaman and Nicobar Islands.

I. Entering or leaving Port.—(a) All sea-going vessels, on entering or leaving a port between sunrise and sunset shall fly their national flag, and when entering a port each vessel shall fly her signal letters.

(b) No vessel shall enter or leave the port between the hours of 6 p.m. and 6 a.m. without special authority from the Conservator of the Port.

II. Berths of vessel.—All vessels within the port shall take up such berths as may be assigned to them by the Conservator, and shall change their berths or shift therefrom when so required by that authority.

III. Taking in or discharging ballast or any particular kind of cargo.—(a) All vessels loading or discharging explosives or any other dangerous goods within the limits of the port shall take up such special berths as the Conservator may direct.

(b) No ballast, rubbish, oil or ballast water containing oil shall be thrown or discharged from the vessel within the limits of the port without the special permission of the Conservator.

IV. Keeping free passage.—A free passage shall be kept to all landing places, wharves and anchorages in accordance with such directions as may be issued on the subject by the Conservator, and all vessels shall move away from such passage when so required by the Conservator.

V. Anchoring and mooring.—(a) All vessels within the port shall be anchored or moored in such manner as may be directed by the Conservator.

(b) The anchors of all steamers and square-rigged vessels must be buoyed.

VI. Signals for vessels carrying explosives.—Every ship having on board more than 100 lbs. of explosives shall, when within the port limits and for such time as the cargo is on board, display:

(i) between the hours of sunrise and sunset, where it can best be seen, the red square flag B of the International Code of Signals, and

(ii) between the hours of sunset and sunrise in the same place, a red light visible all round the horizon, in addition to the regulation lights.

VII. Number of crew.—All vessels within the port shall have on board a sufficient number of crew to perform any duties which may become necessary for the safety of the vessel in regard to veering or heaving in cable, bracing up the yards, striking masts and yards etc. in case of emergency.

[No. 56/3/49-AN.]

B. N. MAHESHWARI, Dy. Secy.

New Delhi-2, the 27th June 1956

S.R.O. 1528.—In exercise of the powers conferred by section 11 of the Salaries and Allowances of Ministers Act, 1952 (58 of 1952) the Central Government hereby makes the following further amendment in the rule published with the notification of the Government of India in the Ministry of Home Affairs, No. 18/37/52-Public, dated the 5th September 1952, namely:

In the said rule, after the second proviso, the following proviso shall be inserted, namely:

“Provided also that a Minister whose headquarters are at a place other than Delhi, may, where he makes a continuous halt exceeding 10 days at Delhi and his actual expenditure during the period after the first 10 days of such halt exceeds the limits of allowance admissible to him under this rule, draw for the period aforesaid such actual expenditure on certifying to the same but not exceeding the amount that would be admissible at the rate of full daily allowance of Rs. 30 or Rs. 15, as the case may be.”

[No. 14/5/56-Pub.I.]

A. V. PAI, Secy.

MINISTRY OF FINANCE*New Delhi, the 3rd July 1956*

S.R.O. 1529.—In exercise of the powers conferred by the proviso to article 309 and, in relation to persons serving in the Indian Audit and Accounts Department, also by clause (5) of article 148 of the Constitution, read with articles 313 and 372 thereof and paragraph 19 of the Adaptation of Laws Order, 1950, the President, after consultation with Comptroller and Auditor General as regards the persons referred to above, hereby directs that the following further amendment shall be made in the Revised Leave Rules, 1933, namely:—

In clause (a) of the second proviso to rule 12 of the said Rules, after the words "on its expiry", the words "except in the case of an officer who has been declared completely and permanently incapacitated for further service by a medical authority" shall be inserted.

[No. F.7(14)-Est.IV/56.]

J. C. SEN, Dy. Secy.

(Department of Economic Affairs)*New Delhi, the 27th June, 1956*

S.R.O. 1530.—In exercise of the powers conferred by section 53 of the Banking Companies Act, 1949 (10 of 1949), and rule 16 of the Banking Companies Rules, 1949, the Central Government on the recommendation of the Reserve Bank of India, hereby declares that the provisions of section 31 of the said Act and rule 15 of the said Rules shall not apply up to the 30th September 1956 to the Indo-Commercial Bank Ltd., in so far as the said provisions relate to the publication of its balance sheet and profit and loss account for the period ended the 31st December 1955 together with the auditor's report in a newspaper.

[No. F.4(60)-FI/56.]

S.R.O. 1531.—In exercise of the powers conferred by section 53 of the Banking Companies Act, 1949 (X of 1949), the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of sub-section (2) of section 19 of the said Act shall not, for the period ending with the 31st December, 1956, apply to the Hongkong and Shanghai Banking Corporation, Calcutta, in respect of the shares of the Sun Jute Press, Ltd. held by the bank on the 12th June 1956.

[No. F.4(71)-FI/56.]

PREM NARAIN, Dy. Secy.

(Department of Company Law Administration)**CHARTERED ACCOUNTANTS***New Delhi, the 28th June 1956*

S.R.O. 1532.—In exercise of the powers conferred by clause (b) of sub-section (2) of Section 9 of the Chartered Accountants Act, 1949, the Central Government is pleased to nominate Shri C. P. Gupta, I.C.S., Deputy Secretary to the Government of India in the Ministry of Finance, to the Council of the Institute of Chartered Accountants of India *vice* Shri B. K. Kaul, I.C.S., resigned.

[No. 3(2)-Corp/56.]

M. R. BHIDE, Jt. Secy.

CENTRAL EXCISE COLLECTORATE, DELHI**CENTRAL EXCISE***New Delhi, the 30th June 1956*

SUBJECT:—Exemption to small manufacturers—Question whether it should be related to manufacturers or factories owned by such manufacturers.

S.R.O. 1533.—In exercise of the powers conferred by rule 233 of the Central Excise Rules, 1944, I hereby direct that all the manufacturers of:—

1. Soap;
2. Mill Board and Straw Board;

3. Pigments, Colour, Paints, Enamels, Varnishes, Blacks and Cellulose lacquers.
4. Vegetable Non-essential Oils.
5. Cotton Fabrics manufactured by power looms (in factories without spinning plants).
6. Rayon or Artificial Silk Fabrics manufactured by power looms (in factories without spinning plants).
7. Woollen fabrics.

in the state of Delhi, Punjab, Pepsu, Himachal Pradesh, Jammu and Kashmir, Ajmer and Rajasthan, excluding the Tehsils of Sironj and Latheri, within the jurisdiction of Central Excise Collectorate, Delhi should furnish declarations for all factories owned by them in India to the Superintendent of Central Excise having jurisdiction over them in this Collectorate in sub-joined form.

The slab exemptions granted in respect of the above excisable commodities *vide* Government of India Ministry of Finance (Revenue Division) New Delhi Notification Nos. CER-8(7)/56 dated the 1st March, 1956, CER-8(6)/56 dated the 1st March, 1956, CER-8(12)/56 dated 1st March, 1956, CER-8(5)/56 dated the 1st March, 1956, CER-8(11)/56 dated the 1st March, 1956, CER-8(9)/56 dated 1st March, 1956 and CER-8(16)/56 dated the 26th May, 1956 have been allowed to each manufacturer not to each individual factory he owns. When, therefore, a partner happens to be common to more than one factory, manufacturing such commodity, such factories shall be treated as one unit for the purpose of determining exemption the combined number of looms in all the factories commonly owned shall determine the rate of duty and exemption in respect of Cotton Fabrics, Rayon or Artificial Silk Fabrics and Woollen Fabrics.

Whenever there is any change in ownership or partnership, the manufacturer shall furnish within 30 days of such change, to the Superintendent, Central Excise concerned fresh declaration in the usual form given below stating *inter alia* the nature of change and relation if any of the new partner or the proprietor with any other factory producing any of the excisable goods as aforesaid.

FORM

Excisable Commodity.....

"I/We declare that I/We own the following factory(ies) at places specified against each:—

S. No.	Names of factory	Location, Place & Distt.	Whether proprietary partnership /private Ltd. /Public Ltd. concern.	Names and addresses of the proprietors /partners/ Directors/in respect of the factory	Whether any of the proprietors/partners/Directors are common to any other factory manufacturing the same commodity. If so the particulars thereof	Remarks

Signature of the person.....

Address.....

[No. C.VI(M)6/1/56/51643.]

B. B. BARMAN,

Collector of Central Excise, Delhi.

MINISTRY OF FINANCE (REVENUE DIVISION)

INCOME-TAX

New Delhi, the 23rd June 1956

S.R.O. 1534.—In exercise of the powers conferred by section 49A of the Indian Income-tax Act, 1922 (XI of 1922), and in supersession of the notification of the Government of India in the late Finance Department (Central Revenues), No. 1, dated the 4th January, 1941, the Central Government makes the following rules for the granting of relief in respect of income on which tax has been paid both in the taxable territories and in certain of Her Majesty's Dominions, namely:—

1. (1) These rules may be called the Income-tax (Double Taxation Relief) (Dominions) Rules, 1956.

(2) They extend to the taxable territories as defined in section 2(14A) of the Indian Income-tax Act, 1922 (XI of 1922).

2. In the rules unless the context otherwise requires—

- (a) "Dominion" means any of the territories specified in the first column of the Schedule annexed to these rules;
- (b) "Dominion income-tax" means tax charged for any year in accordance with the provisions of the dominion enactment specified in the second column of the said Schedule;
- (c) "Dominion rate of tax" has the meaning assigned to it in the section of the respective dominion enactment specified in the third column of the said Schedule;
- (d) the expression "Indian Income-tax" means income-tax and super-tax charged in accordance with the provisions of the Indian Income-tax Act, 1922 (XI of 1922);
- (e) the expression "Indian rate of tax" means the amount of Indian Income-tax exclusive of super-tax after deduction of any relief due to a claimant under the other provisions of the Indian Income-tax Act, 1922 (XI of 1922) but before deduction of any relief due to him under these rules, divided by his total income after deducting therefrom any income (including income from a share in an unregistered firm) exempted from tax by or under the provision of the said Act, added to the amount of Indian super-tax before deduction of any relief due to the claimant under these rules divided by his total income.

3. If any person who has paid by deduction under section 18 of the Indian Income-tax Act, 1922 (XI of 1922) or otherwise Indian Income-tax for any year on any part of his income proves to the satisfaction of the Income-tax Officer that he has paid by deduction or otherwise dominion Income-tax for that year in respect of the same part of his income, he shall be entitled to a refund of a sum calculated on that part of his income at a rate to be determined as follows:—

- (i) If he is resident in the taxable territories the rate at which refund is to be given shall be—
 - (a) the dominion rate of tax, when that rate does not exceed half of the Indian rate of tax; and
 - (b) half the Indian rate of tax, in any other case.
- (ii) If he is not resident in the taxable territories the rate at which refund is to be given shall be—
 - (a) half of the dominion rate of tax when that rate does not exceed the Indian rate of tax; and
 - (b) in any other case, the amount by which the Indian rate of tax exceeds half of the Dominion rate of tax;

Provided, that in no case shall the rate at which such refund is calculated exceed half the Indian rate of tax appropriate to the income of the person entitled to relief or be greater than the excess of the lower of the Indian and the dominion rate of tax over the rate at which relief is given in the Dominion.

4. (1) The application for refund of income-tax under these rules shall be made as follows:—

(i) If the applicant is resident in the taxable territories, to the Income-tax Officer of the District in which the applicant is chargeable directly to income-tax or if he is not chargeable directly, to the Income-tax Officer of the District in which he ordinarily resides;

(ii) If the applicant is resident outside the taxable territories, to the Income-tax Officer appointed by the Central Board of Revenue.

(2) Such application may be presented by the applicant in person or by a duly authorised agent or may be sent by post, and shall as far as circumstances permit be in Form I appended to these rules.

5. No claim to any refund of Indian Income-tax or super-tax under these rules shall be allowed unless it is made within four years from the last day of the financial year commencing next after the expiry of the previous year in which the income arose, accrued or was received or was deemed to have arisen, accrued or been received or was brought into the taxable territories.

6. An applicant for refund under these rules may appeal to the Appellate Assistant Commissioner of Income-tax from any order of the Income-tax Officer disallowing the claim for refund either wholly or in part.

7. The appeal shall be presented within thirty days of the date on which order of the Income-tax Officer was communicated to the applicant, and shall, as far as circumstances permit, be in Form II appended to these rules.

FORM I

(See rule 4)

Application for relief from double income-tax under the Income-tax (Double Taxation Relief Dominions) Rules, 1956* ..

I, _____ of _____ do hereby state that I have paid [or under the provisions of section 49B of the Indian Income-tax Act, 1922 (XI of 1922) must be deemed to have paid] (name of dominion) income-tax amounting to £ _____ for the year ending 19 _____ on an income of £ _____ and that Indian Income-tax/ income-tax and super-tax of Rs. _____ has also been paid [or under the provision of section 49B of the Indian Income-tax Act, 1922 (XI of 1922) must be deemed to have been paid] on the same Income* */part of the same income amounting to Rs. _____. I now pray for relief at the rate of _____ amounting to Rs. _____ to which I am entitled under the Income-tax (Double Taxation Relief) (Dominion) Rules, 1956. My income from all sources during the previous year ending on the 19 _____ amounted to Rs. _____ only—see Return of _____ Income attached already submitted.

I hereby declare that what is stated herein is correct.

Signature

Dated

19 .

Signature.

Sl.
No.

Persons,

Income-tax Officer appointed by
the Central Board of Revenue to
whom applications for relief
should be made.

2

3

* Persons (excluding those who fall under Serial No. 12) Income-tax Officer, 'A' Ward, not residing in the taxable territories and not assessed through statutory agents under section 43 any part of whose income is derived from horse racing. Poona.

*In the case of the persons specified in the 2nd column of the following statement, the application for relief shall be made to the Income-tax Officer specified in the corresponding entry in the 3rd column thereof;

* *Where the income on which income-tax has been charged differs from that on which super-tax has been charged both amounts must be specified.

1	2	3
2	Persons (excluding those who fall under Serial Nos. 9, 10 and 12) not resident in the taxable territories whose total income is made up of income wholly taxed at sources or dividends or both and which exceeds Rs. 25,000/-	1st Income-tax Officer, Non-Residents Refund Circle Bombay.
3	Persons excluding those who fall under Serial Nos. 9, 10 and 12) not resident in the taxable territories claiming double income-tax relief whose total world income in the previous three years exceeded Rs. 25,000/-.	1st Income-tax Officer, Non-Residents Refund Circle, Bombay.
4	Persons (excluding those who fall under Serial Nos. 9, 10 and 12) not resident in the taxable territories whose total world income is over Rs. 10,000 but not exceeding Rs. 25,000 and total income is made up of income wholly taxed at source or dividends or both.	Second Income-tax Officer, Non-Residents Refund Circle, Bombay City.
5	Persons (excluding those who fall under Serial Nos. 9, 10 and 12) not resident in the taxable territories claiming Double Income-tax Relief whose total world income in the previous three years exceeds Rs. 10,000 but does not exceed Rs. 25,000.	Second Income-tax Officer, Non-Residents Refund Circle, Bombay City.
6	Religious and Charitable Institutions outside the taxable territories not liable to income-tax under section 4(3)(i) and (ii) of the Indian Income-tax Act, 1922—applying for refund of tax deducted at source or for exemption certificates.	Third Income-tax Officer Non-Residents Refund Circle, Bombay.
7	Persons (excluding those who fall under Serial Nos. 9, 10 and 12) not resident in the taxable territories claiming Double Income-tax Relief whose total income in the previous 3 years did not exceed Rs. 10,000.	Third Income-tax Officer, Non-Residents Refund Circle, Bombay.
8	Persons (excluding those who fall under Serial Nos. 9, 10 and 12) not resident in the taxable territories whose income does not exceed Rs. 10,000 and total income wholly taxed at source or dividends or both.	Third Income-tax Officer, Non-Residents Refund Circle, Bombay.
9	Persons not resident in the "taxable territories" assessed through statutory agents under section 43 of the Indian Income-tax Act, 1922, whether their income arises in a single state or in more than once State.	Income-tax Officer of the District in which the statutory agent carries on the business by reason of which income-tax is chargeable in his name under section 42 or where he resides, as the case may be.
10	Non-resident pensioners not assessed through statutory agents under section 43 who draw their pension in the United Kingdom or in a Colony, from a Company or any other private employer who is assessed in India.	Income-tax Officer having jurisdiction over the employees of the employer paying pension.
11	Foreign Associations or companies which are declared by the Central Board of Revenue as a 'company' under section 2(6) (ii) of the Indian Income-tax Act and whose total income is made up of income wholly taxed at source or dividends or both.	Income-tax Officer assessing the respective Indian subsidiaries or Indian concerns through which such non-residents are in receipt of income.
12	(Defence Services Employees under the audit control of the Controller of Defence Accounts (Officers Poona and, or the Controller of Defence Accounts (Other Ranks), Secunderabad and the D.C.M.A., Jamnagar excluding (a) Employees, whether civil or military, who are members of or are attached to the Military Accounts Department and (b) Employees who are partners in a firm in the taxable territories or who have income from business carried on in the taxable territories.	Income-tax Officer, General Headquarters, stationed at Poona.

1

2

3

- (ii) Persons resident outside the taxable territories who at the time of departure from the taxable territories were Defence Services Employees under the audit control of the Controller of Defence Accounts (Officers), Poona (or previously Field Controller of Military Accounts, Poona) or the Controller of Defence Accounts (Other Ranks), Secunderabad and who are not under the audit control of any other Audit Officer in the taxable territories in respect of accounting periods during which they were defence Services employees in Indian payment.
- (iii) Persons being widows or dependents of Defence Service Employees, in the payment of the Controller of Defence Accounts (Officers), Poona (or previously Field Controller of Military Accounts, Poona) or the Controller of Defence Accounts (Other Ranks), Secunderabad.
- 13 Persons (excluding those who fall under S. No. 12) not resident in the taxable territories who do not fall under Serial Nos. 1 and 2 and not assessed through statutory agents under section 43 with any income for direct assessment (e.g. house property interest etc.).
- The Income-tax Officer of the Circle in which arose the greater part of the income for assessment in 1939-40 or in the first year of assessment whichever year is later: Provided that the same Officer shall have jurisdiction for subsequent years so long as some income for direct assessment (not necessarily the greater part) continues to arise within his jurisdiction.

FORM II

(See rule 7.)

Appeal from an order of the Income-tax Officer disallowing a claim for refund under the Income-tax (Double Taxation Relief) (Dominions) Rules, 1956.

To

The Appellate Assistant Commissioner of Income-tax
The day of 19 .
The petition of of post office.

Direct sheweth as follows :—

Your petitioner applied to the Income-tax Officer for a refund under the Income-tax (Double Taxation Relief) (Dominions) Rules, 1956, of Rs. . The Income-tax Officer has by his order, dated the , of which a copy is attached, rejected the application/granted a refund of only Rs. . Intimation of this order was received by your petitioner on .

Your petitioner therefore requests that the order of the Income-tax Officer may be set aside and the refund asked for may be granted.

(Sd.)

GROUND OF APPEAL.

Form of verification

I , the petitioner named in the above petition do declare that what is stated therein is true to the best of my information and belief.

**Signed

** The form of appeal and the form of verification appended thereto shall be signed—

- in the case of an individual, by the individual himself;
- in the case of Hindu Undivided family, by the Manager or Karta;
- in the case of a company or local authority, by the principal officer;
- in the case of a firm, by a partner; and
- in the case of any other association, by a member of the association.

SCHEDULE

1	2	3
Kenya	East African Income-tax (Management) Act, 1952.	Section 46(4) read with Section 45 (3).
Tanganyika	East African Income-tax (Management) Act, 1952.	Section 46(4) read with Section 45(3).
Uganda	East African Income-tax (Management) Act, 1952.	Section 46(4) read with Section 45 (3).
Zanzibar	The Zanzibar Income-tax (Management) Decree, 1952.	Section 46 (4) read with Section 45(3).
Gold Coast.	Income-tax Ordinance, 1943 of Gold Coast	Section 31(4).
Nigeria	Income-tax Ordinance, 1943 of Nigeria	Section 32(3).
Sierra Leone.	Income-tax Ordinance, 1943 of Sierra Leone.	Section 32(4).
Gambia.	Gambia Income-tax Ordinance, 1948 of Gambia.	Section 29, Sub-Section (1)(3).
Mauritius	Income-tax Ordinance, 1950 of Mauritius	Section 86(3).

[No. 46.]

[No. 25(46)-IT/51.]

V. V. CHARI, Jt. Secy.

New Delhi, the 20th June 1956

S.R.O. 1535.—In pursuance of clause (b) of sub-rule (ii) of rule 2 of the Appellate Tribunal Rules, 1946, the Central Government has been pleased to appoint Shri N. S. Jagannathan, Income-tax Officer, as Authorised Representative from the 18th June 1956 to appear, plead and act, for any Income-tax authority who is a party to any proceedings before the Income-tax Appellate Tribunal.

INCOME-TAX

New Delhi, the 30th June 1956

S.R.O. 1536.—In exercise of the powers conferred by sub-section (1) read with sub-section (3), of section 60 of the Indian Income-tax Act, 1922 (11 of 1922), the Central Government hereby makes the following further amendment in the notification of the Government of India in the late Finance Department, No. 878-F (Income-tax), dated the 21st March, 1922, namely:—

In the said notification, in the list of officers annexed to item No. (37), the following shall be omitted, namely:—

“The Chief Commissioner of any of the following provinces, namely:—

British Baluchistan,

Delhi,

Ajmer-Merwara,

Coorg,

The Andaman and Nicobar Islands.”

This notification shall take effect on and from the 1st July, 1956.

[No. 47.]

.[No. 42(40) I.T./53.]

New Delhi, the 3rd July 1956

S.R.O. 1537.—In exercise of the powers conferred by sub-section (2) of Section 5 of the Indian Income-tax Act, 1922 (XI of 1922), the Central Government is pleased to appoint Shri N. K. Saksena to be a Commissioner of Income-tax.

This notification shall be deemed to have taken effect from the afternoon of the 18th day of June 1956.

[No. 48.]

[No. 55/44/56-I.T.]

P. N. DAS GUPTA, Dy. Secy.

New Delhi, the 2nd July 1956

S.R.O. 1538.—In exercise of the powers conferred by section 3 of the Central Board of Revenue Act, 1924 (IV of 1924), and in supersession of all previous rules on the subject the Central Government hereby makes the following rules, namely:—

1. These rules may be called the Central Board of Revenue (Regulation of Transaction of Business) Rules, 1955.

2. In these rules, unless the context otherwise requires

(a) "Board" means the Central Board of Revenue constituted under section 2 of the Act;

(b) "Chairman" means the Chairman of the Board; and

(c) "Member" means a Member of the Board.

3. The Central Government may, by notification in the Official Gazette, appoint one of the Members of the Board to be its Chairman.

4. Save as otherwise provided by or under these rules, the business of the Board shall be transacted jointly by the Chairman and the other Members.

5. The Chairman may, with the previous approval of the Central Government, distribute the business of the Board among himself and the other Members.

6. Every order or decision made or taken by the Board shall be authenticated by the signature of the Chairman or any Member or a Secretary or an Under Secretary of the Board or by any other Officer specially empowered in this behalf by the Board.

[No. 68.]

G. MUKHARJI, Dy. Secy.

CENTRAL EXCISES

New Delhi, the 7th July 1956

S.R.O. 1539.—In exercise of the powers conferred by sub-rule (1) of rule 8 of the Central Excise Rules, 1944, read with sub-section (2) of Section 4 of the Dhoties (Additional Excise Duty) Act, 1953 (39 of 1953), the Central Government hereby directs that, where a part of the permissible quota of dhoties as determined in respect of any particular quarter in accordance with Section 3 of the said Act is issued out of any mill as for export out of India, an equivalent quantity of dhoties issued out of that mill for home consumption during such quarter shall be exempt from the additional excise duty, if any, leviable thereon under sub-section (1) of section 4 of the said Act.

[No. CER-8(17)/56.]

CORRIGENDA

New Delhi, the 7th July 1956

S.R.O. 1540.—(I) In the notification of the Government of India, Ministry of Finance (Revenue Division) No. 1-CX(S)/56, S.R.O. 496, dated the 1st March 1956, published in the Gazette of India Extraordinary, Part II, Section 3, dated the 1st March, 1956—

(i) In Annexure I, at page 391 of the said Gazette, for the existing headings of the columns, under 'Dimension', read 'Mm' and 'Tolerance'.

(ii) In sub-para. (b) of Annexure I, at page 391 of the said Gazette, against 'Weft', for 'fifteen', read 'fifteens'.

(iii) In line 1 of second sub-para. of para. (b)(v) of 'Details' under para. (2) of Annexure II, at page 392 of the said Gazette, for 'one-eight', read 'one-eighth'.

(iv) In para. (5)(iii) of Annexure II, at page 394 of the said Gazette,

(a) In line 2, for '0:3', read '0:3'.

(b) In line 3, for 'Excise', read 'Excises'.

S.R.O. 1541.—(II) In the notification of the Government of India, Ministry of Finance (Revenue Division) No. 2-CER/56 S.R.O. 497, dated the 1st March, 1956, published in the Gazette of India Extraordinary Part II, Section 3, dated the 1st March, 1956—

(i) In second column of the table under para. (II)(1), at page 394 of the said Gazette, for "Rayon or Artificial Fabrics", read "Rayon or Artificial Silk Fabrics."

(ii) In line 3 of para. II (3) (e) at page 395 of the said Gazette, for "of", read "or".

(iii) In line 3 of para. II (4) (i), at page 395 of the said Gazette, for "factories" read "/factories".

(iv) In the Form under para. II(5), at page 395 of the said Gazette—

(a) In line 2 of para. 1 after the word 'District', for "/", read ".....".

(b) In the table under para. 1, delete the word "total".

(c) At the end of the table and below the line under para. 1, insert, on the righthand side:

Total

(d) for the existing heading of third column of the Statement "1. For payment in cash" under para. 4, read:

"
Amount (To be entered in words as well as in figures)
Rs. As."

(e) In the heading of the third column of the statement "II. For payment through current account" under para. 4, for "Account" read "Amount".

S.R.O. 1542.—(III) In the notification of the Government of India, Ministry of Finance (Revenue Division) No. CER-8(11)/54, S.R.O. 504, dated the 1st March, 1956, published at page 399 of the Gazette of India Extraordinary, Part II, Section 3, dated the 1st March, 1956, for "9 loom", occurring in item (3), read "9 looms".

S.R.O. 1543.—(IV) In the notification of the Government of India, Ministry of Finance (Revenue Division) No. CER-8(13)/56, S.R.O. 506, dated the 1st March, 1956, published in the Gazette of India Extraordinary, Part II, Section 3, dated the 1st March, 1956—

For "0:25" occurring in item (3) read "0:25".

W. SALDANHA, Dy. Secy.

CENTRAL BOARD OF REVENUE

ESTATE DUTY

New Delhi, the 25th June 1956

S.R.O. 1544.—In exercise of the powers conferred by second proviso of sub-section (2) of Section 4 of the Estate Duty Act, 1953 (34 of 1953), the Central Board of Revenue hereby directs that, subject to the pecuniary limits specified in the notification of the Central Board of Revenue No. 5-E.D. dated the 4th December 1953, every Income-tax Officer appointed to be an Assistant Controller and posted to the Estate Duty cum Income-tax Circle, Jalapaiguri, and every Inspecting Assistant Commissioner appointed to be a Deputy Controller and

exercising jurisdiction over the said Circle shall perform their functions as Assistant Controller and Deputy Controller respectively in the said Circle to the exclusion of all other Assistant Controllers and Deputy Controllers in respect of the estates of all deceased persons who immediately before their death were being, or would have been, assessed to Income-tax, had they derived any taxable income in any of the following Income-tax Circles within the Range of the Inspecting Assistant Commissioner, Range V, Calcutta:—

- (1) Jalpaiguri-Darjeeling
- (2) Cooch-Behar
- (3) West Dinajpur-Maldah.

2. This Notification shall have effect from the 4th June, 1956.

[No. 36/F.No.21/4/56-E.D.]

S.R.O. 1545.—In exercise of the powers conferred by the second proviso to sub-section (2) of Section 4 of the Estate Duty Act, 1953, (34 of 1953), the Central Board of Revenue hereby directs that, subject to the pecuniary limits specified in the notification of the Central Board of Revenue No. 5-E.D. dated the 4th December 1953, every Income-tax Officer appointed to be an Assistant Controller and posted to the Estate Duty *cum* Income-tax Circle (Mofussil), Calcutta, and every Inspecting Assistant Commissioner appointed to be a Deputy Controller and exercising jurisdiction over the said Circle shall perform their functions as Assistant Controller and Deputy Controller respectively in the said Circle to the exclusion of all other Assistant Controllers and Deputy Controllers in respect of the estates of all deceased persons who immediately before their death were being, or would have been, assessed to Income-tax, had they derived any taxable income in any of the following Income-tax Circles within the Range of the Inspecting Assistant Commissioner, Range VI, Calcutta:—

- (1) Murshidabad-Nadia
- (2) Hooghly
- (3) Burdwan-Birbhum
- (4) Midnapore-Bankura.

2. This Notification shall have effect from the 4th June 1956.

[No. 37/F.No. 21/4/56-ED.]

R. K. DAS, Secy.

CUSTOMS

New Delhi, the 30th June 1956

S.R.O. 1546.—In exercise of the powers conferred by section 9 of the Sea Customs Act, 1878 (VIII of 1878), the Central Board of Revenue hereby directs that the following amendment shall be made in the rules published in the Board's notification No. 66, dated the 22nd August, 1953, namely;

In the said rules, for the second rule, the following shall be substituted, namely:

"The Assistant Collector of Central Excise, Meerut Division, the Superintendent of Central Excise, Dehra Dun, and the Deputy Superintendent of Central Excise posted to the Cigarette Factory, shall exercise all the powers conferred by Chapter XI of the said Act on a Customs Collector in respect of the aforesaid warehouse."

[No. 50.]

W. SALDANHA, Secy.

INCOME-TAX

New Delhi, the 3rd July 1956

S.R.O. 1547.—In exercise of the powers conferred by sub-section (2) of section 5 of the Indian Income-tax Act 1922 (XI of 1922), and in supersession of its notification (No. 74-Income-tax, dated the 10th September 1955), the Central Board of Revenue hereby directs that Shri N. K. Saksena, a Commissioner of

Income-tax, shall perform all the functions of a Commissioner of Income-tax in respect of such areas or of such persons or classes of persons or of such incomes or classes of incomes or of such cases or classes of cases as are comprised in the States of Delhi, Ajmer, Rajasthan and Madhya Bharat:

Provided that he shall also perform his functions in respect of such persons or of such cases as have been or may be assigned by the Central Board of Revenue to any Income-tax Authority subordinate to him:

Provided further that he shall not perform his functions in respect of such persons or such cases as have been or may be assigned to any Income-tax Authority outside his jurisdictional area.

While exercising the said functions the said Shri Saksena shall be designated as Commissioner of Income-tax, Delhi, Ajmer, Rajasthan and Madhya Bharat.

This notification shall be deemed to have taken effect from the afternoon of the 18th day of June 1956.

[No. 49(55/44/56-IT).]

P. N. DAS GUPTA, Secy.

MINISTRY OF COMMERCE & INDUSTRY

New Delhi, the 29th June 1956

S.R.O. 1548.—In exercise of the powers conferred by section 28 of the Forward Contracts (Regulation) Act, 1952 (74 of 1952), the Central Government hereby makes the following amendment in the Forward Contracts (Regulation) Rules, 1954, published with the notification of the Government of India in the Ministry of Commerce and Industry No. S.R.O. 2230, dated the 8th July, 1954, namely:—

In the said Rules, for Form B, the following Form shall be substituted, namely:—

“FORM B

(See rules 7 and 8)

GOVERNMENT OF INDIA

MINISTRY OF COMMERCE & INDUSTRY

New Delhi, the 195 .

No. The Central Government, having considered in consultation with the Forward Markets Commission, the application for recognition/renewal of recognition made under section 5 of the Forward Contracts (Regulation) Act, 1952, by..... (name and address of association) and being satisfied that it would in the interest of the trade and in the public interest so to do, hereby grants, in exercise of the powers conferred by section 6 of the said Act, recognition to the said association for.....year/years ending..... 195 on a permanent basis in respect of forward contracts in..... (name of goods or classes of goods) in..... (name of area or areas).

(Signature of Officer.)

Seal of the Ministry.

NOTE.—Application for renewal of recognition should be made three months before the expiry of the period.”

(This certificate will also have to be published as a Notification in the Gazette of India and also in the official gazette of the State in which the principal officer of the recognised association is situate.)

[No. F.4/6/56-IP(B).]

P. S. SUNDARAM, Dy. Secy.

New Delhi, the 30th June 1956

S.R.O. 1549.—In exercise of the powers conferred on me by clause 20 of the Cotton Control Order, 1955, and with the previous sanction of the Central Government, I hereby direct that the following amendment shall be made in the Textile Commissioner's Notification No. S.R.O. 1104 dated the 28th April, 1956, namely:

In the Scheduled appended to the said Notification, in column 2, against serial No. 2, after entry No. 5, the following entry shall be inserted, namely:—

†† “(5A). Special Officer (Textiles), Office of the Director of Industries and Commerce, Madras State, Madras.”

(Sd.) V. NANJAPPA,
Textile Commissioner.

[24(22)-CT(A)/55-8]

V. V. NENE, Under Secy.

TARIFFS.

New Delhi, the 30th June 1956

S.R.O. 1550.—In pursuance of item No. 28(9) of the First Schedule to the Indian Tariff Act, 1934 (XXXII of 1934), as in force in India and as applied to the State of Pondicherry, and in supersession of Notifications of the Government of India in the late Department of Commerce, No. 155-T(5), dated the 18th July, 1931, and No. 155-T(4), dated the 19th March, 1932, the late Ministry of Commerce No. 155-T(1)/47 dated the 20th September 1947 and the Ministry of Commerce and Industry No. S.R.O. 89 dated the 19th January, 1952, the Central Government hereby declares that the following substances are of a like nature or use to saccharine, namely:—

- (1) Toluene ortho sulphonie acid;
- (2) Toluene ortho sulphon chloride or Toluene ortho sulphonyl chloride or Toluene ortho chlorosulphonic acid;
- (3) Toluene ortho sulphonamide or Toluene ortho sulphamide;
- (4) Ortho-sulpho benzoic acid and its derivatives;
- (5) Benzamide ortho sulphonie acid and its derivatives;
- (6) Ortho-(sulphonamido benzoic acid or ortho-sulphamido benzoic acid or ortho-sulphamine benzoic acid;
- (7) Toluene ortho-sulphinic acid;
- (8) Sweetol, sucrose; crystallose; gluside; saccharol, saxin; glycosine; sykose; glusimide; garantose; glycophenol, saccharinol and saccharinose; and nes saccharine;
- (9) Paraphenetol carbamide (dulcin or sucrol);
- (10) Amido triazine sulphonie acid and its sodium salt (glucine);
- (11) Cyclamate of Sodium (Sucaryl Sodium; sodium cyclo-hexyl-sulphamate);
- (12) Saccharine in the form of Sodium Salt (Soluble saccharine, sodium saccharine);
- (13) Sucramine, (Ammonium salt of saccharine);
- (14) (i) P-4000 (marketed in dilutions as 'Aros'. This is chemically 1.n-propionoxy-2-amino-4-nitro-benzene); and
(ii) other compounds closely related to the above which have been claimed to have 120 to 2000 times the sweetening power of ordinary cane sugar. In these compounds, instead of the propionoxy group, there are other groups like methoxy, allyloxy, butoxy, etc.; and
- (15) Calcium cyclamate) Sucaryl calcium, Calcium cyclo-hexyl-sulphamate).

[No. 16-T(7/55)]

N. SUBRAHMANYAM, Jt. Secy.

New Delhi, the 30th June 1956

S.R.O. 1551.—In exercise of the powers conferred by sub-clause (xi) of clause (a) of section 2 of the Essential Commodities Act, 1955 (10 of 1955) as in force in India and as applied to the State of Pondicherry, the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Commerce and Industry No. SRO 325 dated the 15th February, 1956, namely:—

In the said notification, after the words and figures "Essential Commodities Act, 1955", the following words shall be inserted, namely:—

"as in force in India and as applied to the State of Pondicherry."

[File No. 15(7)-Jute/55.]

S.R.O. 1552.—In exercise of the powers conferred by Section 3 of the Essential Commodities Act, 1955 (10 of 1955) as in force in India and as applied to the State of Pondicherry, the Central Government hereby makes the following amendments in the Jute Textiles (Control) Order 1956, published with the notification of the Government of India in the Ministry of Commerce and Industry No. SRO 326 dated the 15th February, 1956, namely:—

In the said notification—

1. In the opening paragraph, after the word, figures and brackets "(10 of 1955)", the following words shall be inserted, namely:—

"as in force in India and as applied to the State of Pondicherry."

2. For sub-clause (2) of clause 1, the following sub-clause shall be substituted, namely:—

"(2) It extends to the whole of India except the State of Jammu and Kashmir and also to the State of Pondicherry."

—[File No. 15(7) Jute/55.]

S. K. PAL, Under Secy.

MINISTRY OF FOOD AND AGRICULTURE

New Delhi, the 26th June 1956

S.R.O. 1553.—In exercise of the powers conferred by Section 17 of the Indian Oilseeds Committee Act, 1946 (IX of 1946), the Central Government hereby makes the following amendment in the Indian Oilseeds Committee Rules, 1947, the same having been previously published as required by sub-section (1) of the said section, namely:—

For rule 27 of the said Rules, the following rules shall be substituted, namely:—

"27. *Custody and disbursement of Fund*"

- (1) The Committee's money shall be kept within Government account in a banking or a non-banking Treasury of Government and the current balances shall neither be kept outside Government balances nor the surplus balances invested elsewhere. A 'Personal Deposit Account' of the Committee shall be opened within the Government Account and all monies at the disposal of the Committee with the exception of the petty cash shall be paid in that account.
- (2) The monies already placed in fixed deposits or invested in Government securities and the like shall be paid in the 'Personal Deposit Account' as and when these investments mature, and no fresh investments shall hereafter be made.
- (3) Payment by or on behalf of the Committee shall be made in cash or by cheque against the 'Personal Deposit Account' of the Committee. The cheques and all orders for the withdrawal of the deposits or investments shall be signed by the Secretary, Indian Central Oilseeds Committee and President/Vice-President/a member of the Committee who is specially authorised for the purpose.

[No. 5-15/55-Com.I/ICOCR/Am(1)/56.]

MOKAND LALL, Under Secy.

New Delhi, the 27th June 1956

S.R.O. 1554.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (X of 1955), the Central Government hereby directs that the Sugar (Control) Order, 1955, published under Government of India, in the Ministry of Food and Agriculture, notification No. S.R.O. 1862 dated the 27th August, 1955, shall also apply to the State of Pondicherry.

[No. F.9-1/56-SV.]

S.R.O. 1555.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (X of 1955), the Central Government hereby directs that the Sugarcane (Control) Order, 1955, published under Government of India, in the Ministry of Food and Agriculture, notification No. S.R.O. 1863 dated the 27th August, 1955, shall also apply to the State of Pondicherry.

[No. F.9-1/56-SV.]

T. C. PURI, Jt. Secy.

MINISTRY OF HEALTH

New Delhi-2, the 26th June 1956

S.R.O. 1556.—Dr. G. V. Satyanarayana Murthy, M.D., Superintendent, King George's Hospital, Visakhapatnam, and member of the Faculty of Medicine of the Andhra University, has been duly elected as a member of the Medical Council of India under clause (b) of sub-section (1) of Section 3 of the Indian Medical Council Act, 1933 (XVII of 1933), with effect from the 7th May, 1956 in the vacancy caused by the resignation of Dr. S. N. Gantayat, M.B.B.S., D.O. (Madras), D.O. (Oxon).

[No. F.5-62/56-M.I.]

KRISHNA BIHARI, Under Secy.

MINISTRY OF TRANSPORT

(Kandla Port Project)

OFFICE OF THE DEVELOPMENT COMMISSIONER, GANDHIDHAM (KUTCH)

Kandla, the 28th June 1956

S.R.O. 1557.—In exercise of the powers conferred by Section 9 of the Bombay Landing and Wharfage Fees Act, 1882 (Bombay Act No. VII of 1882) as applied to the Port of Kandla in the Ministry of Transport's Notification No. 14-P(89)/49-I dated the 29th June, 1950, the Development Commissioner, Kandla, who is the Chief Customs authority, hereby directs to make the following corrigendums, namely:—

For the date 29th June 1955 appearing in the—

- (a) Kandla Port Byelaws 1955 published in Part II Section 3 of the Gazette of India, dated the 28th May 1955, under S.R.O. No. 1125, and
- (b) Kandla Port Byelaws 1955 published in Part II Section 3 of the Gazette of India, dated the 4th June 1955 under S.R.O., Nos. 1179 and 1180,

the date 2nd October 1955 shall be substituted.

[No. 6-GA(4)/56.]

P. N. SAXENA,
Development Commissioner, Kandla.

MINISTRY OF NATURAL RESOURCES AND SCIENTIFIC RESEARCH

New Delhi, the 30th June 1956

S.R.O. 1558.—In exercise of the powers conferred by section 5 of the Mines and Minerals (Regulation and Development) Act, 1948 (LIII of 1948), the Central

Government hereby makes the following further amendments in the Mineral Concession Rules, 1949, namely:—

In the said Rules—

(1) after clause (v) of sub-rule (1) of rule 23, the following clause shall be inserted, namely:—

“(v-a) The licensee shall, without delay, report to the State Government the discovery, in the area comprised in his license, of any mineral not specified in the license, and shall not undertake any prospecting operations in respect of such mineral without obtaining permission of the State Government for inclusion thereof in the license. If he fails to apply for such permission within three months from the discovery of the mineral the State Government may give licence in respect of such mineral to any other person.”

(2) After item (ix) of sub-rule (2) of rule 23, the following item shall be added, namely:—

“(x) Facilities to be given by the licensee for working other minerals in the licensed area or adjacent areas.”

[No. MII-152(27)/55.]

G. C. JERATH, Dy. Secy.

MINISTRY OF WORKS, HOUSING AND SUPPLY

New Delhi-2, the 30th June 1956

S.R.O. 1559.—In pursuance of sub-rule (1) of Rule 48 of Order XXI of the First Schedule to the Code of Civil Procedure, 1908 (Act of 1908), the Central Government hereby appoints the officers specified in column 1 of the table below as officers to whom notice of orders attaching the salaries and allowances of the officers specified in the corresponding entries in column 2 of the said table shall be sent:—

TABLE

Officers to whom notice should be sent	Officers Whose salaries and allowances are attached
1	2
Pay and Accounts Officer, Ministry of Works, Housing and Supply, New Delhi.	Gazetted Officers of the Pay and Accounts Office, Ministry of Works Housing, and Supply, New Delhi.
Assistant Pay and Accounts Officer (Establishment), Pay and Accounts Office, Ministry of Works, Housing and Supply, New Delhi.	Non-gazetted Officers of the Pay and Accounts Office, Ministry of Works, Housing and Supply, New Delhi.
Pay and Accounts Officer, Ministry of Works, Housing and Supply, Calcutta.	Gazetted Officers of the Pay and Accounts Office, Ministry of Works, Housing and Supply, Calcutta.
Assistant Pay and Accounts Officer, (Establishment), Pay and Accounts Office, Ministry of Works, Housing and Supply, Calcutta.	Non-gazetted Officers of the Pay and Accounts Office, Ministry of Works, Housing and Supply, Calcutta.
Pay and Accounts Officer, Ministry of Works, Housing and Supply, Bombay.	Gazetted Officers of the Pay and Accounts Office, Ministry of Works, Housing and Supply, Bombay.
Assistant Pay and Accounts Officer (Establishment), Pay and Accounts Office, Ministry of Works, Housing and Supply, Bombay.	Non-gazetted Officers of the Pay and Accounts Office, Ministry of Works, Housing and Supply, Bombay.

[No. BII-106(7)/56.]

C. A. SUBRAHMANYAM, Dy. Secy.

MINISTRY OF REHABILITATION

New Delhi the 26th June 1956

S.R.O. 1560.—In pursuance of sub-rule (1) of Rule 48 of Order XXI of the First Schedule to the Code of Civil Procedure, 1908, (V of 1908), the Central Government hereby appoints the officers specified in column (1) of the table below as officers to whom notices of orders attaching the salaries and allowances of the officers specified in the corresponding entries in column (2) of the said table shall be sent :—

[No. 26/44/56-SII.]

KULWANT SINGH under Secy.

TABLE

Officers to whom notices should be sent	Officers whose salaries and allowances are attached
(1)	(2)
Pay and Accounts Officer Ministry of Rehabilitation concerned.	Gazetted Officers in the Settlement Organization of the Ministry of Rehabilitation.
Joint Chief Settlement Commissioner, Ministry of Rehabilitation, New Delhi	Non-Gazetted officers in the Office of the Chief Settlement Commissioner, Ministry of Rehabilitation, New Delhi.
Regional Settlement Commissioners.	Non-gazetted officers in the offices of the Regional Settlement Commissioner, Ministry of Rehabilitation.

New Delhi the 28th June 1956.

S.R.O. 1561.—In pursuance of sub-rule (1) of Rule 48 of Order XXI of the First Schedule to the Code of Civil Procedure, 1908 (V of 1908), the Central Government hereby appoints the officers specified in column (1) of the table below as officers to whom notices of orders attaching the salaries and allowances of the Officers specified in the corresponding entries in column (2) of the said table shall be sent :—

TABLE

Officers to whom notices should be sent	Officers whose salaries and allowances are attached
1	2
Assistant Pay and Accounts Officer, Ministry of Rehabilitation, New Delhi.	Gazetted and non-gazetted officers in the office of the Pay and Accounts Officer, Ministry of Rehabilitation, New Delhi.
Assistant Pay & Accounts Officer, Ministry of Rehabilitation, Calcutta.	Gazetted and non-gazetted officers in the office of the Pay and Accounts Officer, Calcutta.
Assistant Pay & Accounts Officer, Ministry of Rehabilitation, Bombay.	Gazetted and non-gazetted officers in the office of the Pay and Accounts Officer, Bombay.

K. P. MISRA, Under Secy.

[F. 5/18/56-Admn.]

MINISTRY OF LABOUR

New Delhi, the 25th June 1956

S.R.O. 1562.—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees Provident Fund Act, 1952(XIX of 1952), the Central Government hereby appoints the Central Provident Fund Commissioner to be an Inspector for all Part 'C' States for the purposes of the said Act and of any scheme framed thereunder.

R. C. SAKSENA, Under Secy.

[FF.50(122)/56.]

New Delhi, the 27th June 1956

S.R.O. 1563.—Whereas the Central Government is satisfied that the employees of the Departmental Workshop, Lodi Road, New Delhi, belonging to the India Meteorological Department under the control of the Ministry of Communications, are otherwise in receipt of benefits substantially similar or superior to the benefits provided under the Employees' State Insurance Act, 1948 (XXXIV of 1948);

Now, therefore, in exercise of the powers conferred by section 90 of the said Act, and in continuation of notification of the Government of India in the Ministry of Labour No. S.R.O. 2049, dated the 12th September, 1955, the Central Government hereby exempts the said factory from all the provisions of the said Act for a further period of one year with effect from the 2nd July, 1956.

[F. No. HI-6(58/56.)]

New Delhi, the 30th June 1956

S.R.O. 1564.—In exercise of the powers conferred by section 95 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following amendments to the Employees' State Insurance (Central) Rules, 1950, the same having been previously published as required by sub-section (1) of the said section.

Amendments

In the said rules—

(1) for sub-clause (b) of clause (i) of sub-rule (2) of rule 5, the following shall be substituted, namely:—

“(b) in respect of journey by rail, a single fare of the class by which he travels on payment of full fare, plus 12 pies per mile, from and to the usual place of business or from and to the place from or to which the journey is actually performed by the member, whichever is less, the rate of 12 pies per mile being subject to the same modifications as the Central Government may make from time to time in this regard in respect of its own officers of the first grade.

Air-conditioned accommodation will not be treated as one of the classes of accommodation for purposes of rail travel, but a member will have the option to travel by air-conditioned accommodation, by paying from his own pocket, the difference between the fare for the air-conditioned and the highest class accommodation provided on the train by which he travels.

NOTE.—Return tickets should be purchased whenever they are available, and when it is expected that the return journey will be performed before the expiry of the period for which return tickets are available.”

(2) in clause (ii) of sub-rule (2) of rule 5, after the word “meetings” at the end, the following shall be added, namely:—

“and also in respect of the days intervening between a meeting of the Standing Committee and that of the Corporation if the latter meeting is held within two days of the meeting of the former and if the member continues to reside at the place of the meeting during the period”;

(3) for Note (1) to Rule 5, the following Note shall be substituted, namely:—

“(1). Travelling and daily allowance shall be allowed if a member certifies that he has not drawn any travelling or daily allowance from any other source in respect of the journey and halt for which the claim is made. A member who possesses a free pass provided to him in his capacity as a Member of Parliament, will be expected to use the pass while travelling on business of the Corporation also.”

[No. SS-122(82).]

New Delhi, the 3rd July 1956

S.R.O. 1565.—In pursuance of the provisions of clause 27 of the Calcutta Dock Workers (Regulation of Employment) Scheme, 1951, and in supersession of the notification of the Government of India in the Ministry of Labour No. S.R.O. 3408, dated the 4th November, 1954, the Central Government hereby appoints an Appeal Tribunal consisting of Shri A. Das Gupta Member, Labour Appellate Tribunal, Calcutta, who shall be the sole member of the said Tribunal.

[No. Fac.74(88)/56.]

B. R. KHANNA, Under Secy.

New Delhi, the 4th July 1956

S.R.O. 1566.—Whereas the Central Government is of opinion that a provident fund scheme should be framed under the Employees' Provident Funds Act, 1952 (19 of 1952), in respect of the employees of the industries specified in the table below;

Now, therefore, in exercise of the powers conferred by section 4 of the said Act, the Central Government hereby directs that with effect from 31st July, 1956, the said industries shall be added to Schedule I of the said Act.

TABLE

1. Matches.
2. Edible oils and fats.
3. Sugar.
4. Rubber and rubber products.
5. Electricity including the generation, transmission and distribution thereof.
6. Tea.
7. Printing (other than printing industry relating to newspaper establishments as defined in the Working Journalists (Conditions of Service) and Miscellaneous Provisions Act, 1955 (45 of 1955), including the process of composing types for printing, printing by letter press, lithography, photogravure or other similar process or book-binding.
8. Glass.
9. Stone-ware pipes.
10. Sanitary Wares.
11. Electrical Porcelain Insulators of high and low tension.
12. Refractories.
13. Tiles.

[No. PF.46(31)/56/L.]

S.R.O. 1567.—In exercise of the powers conferred by section 7 of the Employees' Provident Funds Act, 1952 (19 of 1952), the Central Government hereby directs that the following amendment shall be made in the Employees' Provident Funds Scheme 1952, namely:—

In the said Scheme:—

1. To clause (a) of sub-paragraph (3) of paragraph 1 the following proviso shall be added, namely:—

“Provided that the provisions of this scheme shall not apply to:

- (i) match factories having annual production of five lakhs gross boxes of matches or less;
- (ii) such glass factories, other than sheet glass and glass shell factories, as have an installed capacity of 600 tons per month or less;
- (iii) Tea factories in the State of Assam”.

2. For clause (b) of sub-paragraph (3) the following clause shall be substituted, namely:—

“Provisions of this scheme shall—

- (1) as respects factories relating to the industries added to Schedule 1 of the Act, by notification of the Government of India in the Ministry of Labour No. S.R.O. 1566, dated 4th July 1956 come into force on the 31st day of July, 1956.
- (2) as respects factories relating to other industries be deemed to have come into force with effect from the 2nd day of September, 1952.”

[No. PF.46(31)/56/II.]

R. C. SAKSENA, Under Secy.